

11/30/2004 15:32 FAX 13124635001

BANNER & WITCOFF

001/009

10 SOUTH WACKER DRIVE, SUITE 3000
CHICAGO, ILLINOIS 60306

TEL: 312.715.1000
FAX: 312.715.1234
www.bannerwitcoff.com

BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

FACSIMILE TRANSMITTAL SHEET

TO: Commissioner for Patents	FROM: Scott A. Burow
COMPANY: United States Patent and Trademark Office	DATE: November 30, 2004
FAX NO.: 703-746-4000	TOTAL NO. OF PAGES: (including cover sheet) 9
YOUR REFERENCE NO.: Application Serial No.: 10/033,818	OUR REFERENCE (C/M) NO.: Atty Docket No.: 005127.00035
RE: Payment of Issue Fee	

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Shannon Salamone	PHONE: 312-463-5568
----------------------------------	-------------------------------

COMMENTS:

BEST AVAILABLE COPY

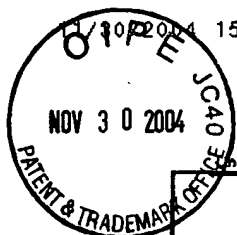
Important/Confidential: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR



*TO:SB/87 (05-03)

Approved for use through 04/30/2005. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office No.: (703) 746-4000 on November 30, 2004.

Date

Signature

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Serial No.: 10/033,818

Confirmation No.: 8443

Inventor: Turner

Title: Device and Method for Securing Apparel to Protective Equipment

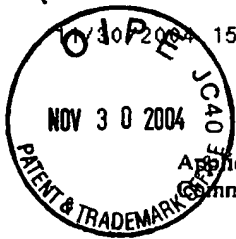
Fee Transmittal (1 page) in duplicate

Part B- Fee(s) Transmittal (1 page) in duplicate

Comments on Statement of Reasons for Allowance (3 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Application No.: 10/033,818

Comments on Examiner's Statement for Reasons for Allowance

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Turner et al.

Serial No.: 10/033,818

Filed: December 20, 2001

For: Device and Method for Securing
Apparel To Protective Equipment

Atty. Docket No.: 05127.0 0035

Group Art Unit: 3765

Examiner: Patel, Tish D.

Confirmation No.: 8443

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop: ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Allowance and the Examiner's Statement of Reasons for Allowance, the Applicants submit the following comments concerning the reasons for allowance.

Claims 1-14 are novel and non-obvious over the prior art as a whole. The invention, as recited in independent Claim 1, is directed to "a device for securing apparel to protective equipment comprising an apparel attachment member defining a first side and a second side, the first side having an adhesive coating for securing the attachment member to the protective equipment, and the second side having a plurality of hooks for removably securing the apparel attachment member to a plurality of loops formed on the inside of the apparel, the apparel attachment member defining a shape that substantially conforms to the protective equipment."

The invention, as recited in independent Claim 6, is directed to "a method of securing apparel to protective equipment comprising the steps of providing an apparel attachment member defining a first side and a second side, the first side having an adhesive coating, and the second side having a plurality of hooks, securing the apparel attachment member to the protective equipment by positioning the first side of the apparel attachment member in contact with the protective equipment, and positioning the inside of the apparel in contact with the plurality of

Application No.: 10/033,818
Comments on Examiner's Statement for Reasons for Allowance

hooks on the second side of the apparel attachment member, whereby the apparel is securely attached to the protective equipment."

The invention, as recited in independent Claim 10, is directed to "a device for securing apparel to protective equipment comprising an apparel attachment member secured to the protective equipment, the apparel attachment member including a plurality of hooks for removably securing the apparel attachment member to a plurality of loops formed on the inside of the apparel, the apparel attachment member defining a shape that conforms to the protective equipment."

The inventions described in independent claims 1, 6 and 10 are novel and non-obvious over the prior art as a whole. Similarly, the inventions described by the dependent claims are novel and non-obvious over the prior art as a whole. The inventions described by the independent claims are not limited by the protective equipment on which they may be used. Indeed, the inventions may be used with all types and kinds of protective equipment where it is desirable to secure apparel thereto. Consequently, the Examiner's statement that the prior art does not teach or suggest "protective equipment adapted for the shoulder, ribs or back" is referring to the inventions recited in the dependent claims and not the independent claims. Also, the inventions described by the independent claims are not limited to the loops "being formed" on the apparel; rather, the inventions of the independent claims can be used with loops that naturally form or occur on the apparel, as supported by the specification. Finally, the inventions of the claims are not limited to "a plurality of hoops." In fact, the claims of the inventions do not make reference to "hoops"; rather, they refer to "loops" as that term is broadly understood by those skilled in the art.

Application No.: 10/033,818

Comments on Examiner's Statement for Reasons for Allowance

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: November 30, 2004

By:



Scott A. Burow

Registration No. 42,373

Banner & Witcoff, LTD.
Ten South Wacker Drive
Chicago, Illinois 60606
Tel: (312) 463-5000
Fax: (312) 463-5001